



Law & RCE 3762

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Table with 2 columns: Field Name, Value. Fields include Application Number (09/828,460), Filing Date (April 6, 2001), First Named Inventor (William R. Mass), Group Art Unit (3762), Examiner Name (George R. Evanisko), Attorney Docket Number (279.308US1), Customer No. (21186).

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application entitled PASSIVE TELEMETRY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE.

Submission required under 37 C.F.R. § 1.114

- 1. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .
2. Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
3. X An Amendment and Response Under 37 CFR § 1.116 (9 pgs.) is enclosed.
4. A new power of attorney (pages) is enclosed.
5. An Information Disclosure Statement is enclosed (pages).
a. Form(s) 1449
b. Copies of IDS Citations
6. X Authorization to charge Deposit Account No. 19-0743 in the amount of \$790.00 to pay the RCE filing fee required under C.F.R. § 1.17(e).
7. X The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 CFR §§ 1.16 through 1.18 to Deposit Account No. 19-0743.
8. X A Petition for Extension of Time in the prior application (1 pg.) is enclosed, including authorization to charge Deposit Account No. 19-0743 in the amount of \$110.00 to pay the extension fee.

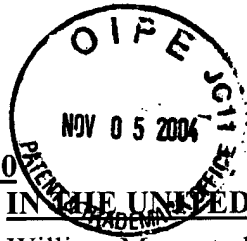
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

By: [Signature]
Atty: JJ Kevin Parker
Reg. No. 33,024

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Attn-Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this day of November, 2004.

[Signature]
Name

[Signature]
Signature



S/N 09/828,460

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Mass et al.

Examiner: Evanisko, George

Serial No.: 09/828,460

Group Art Unit: 3762

Filed: April 6, 2001

Docket: 279.308US1

Title: Passive Telemetry System for Implantable Medical Device

AMENDMENT AND RESPONSE UNDER 37 C.F.R. 1.116

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This amendment and response is filed in conjunction with a Request for Continued Examination and is responsive to the Final Office Action dated July 28, 2003. The pending appeal is hereby withdrawn. A one-month extension of time in which to respond is requested.